

ASSERTS BECKER GUNMAN INNOCENT

Rabbi Goldstein Says District Attorney Admitted This to Governor.

URGES ABOLITION OF DEATH PENALTY

Warden Osborne Supports Plea Before Constitution Committee.

Albany, June 16.—Rabbi Jacob Goldstein, a chaplain to Sing Sing and the Tombs, asserted before the bill of rights committee of the Constitutional Convention to-day that one of the four New York gunmen executed for the murder of Herman Rosenthal went to his death an innocent man and that the District Attorney's office has admitted as much in a communication to Governor Whitman. Mr. Goldstein would not name the gunman, but he is believed to have referred to Dago Frank Crofeli.

The rabbi was among a number of speakers who appeared before the committee to urge a constitutional amendment abolishing the death penalty.

"From my own experience," he said, "and from what I have learned I know that scores of innocent men have died on the gallows and in the chair. I was present when a lad whom I practically knew to be innocent went to his death."

Chairman Louis Marshall asked if he referred to one of the four gunmen.

"I do," replied Rabbi Goldstein, "and the innocence of this boy has been admitted in a communication sent from the District Attorney's office to the Governor. If this is denied by any one

I stand prepared to give chapter and verse. There are now more than a score of boys in the Tombs charged with the same crime as the gunmen, yet when those executions took place a New York judge told me: 'Now there will be no more gun fights among boys on the East Side.'"

Warden Thomas Mott Osborne admitted that the death penalty might prove a deterrent, through the cowardice of some men, but that in many others it was an actual incentive and increased the amount of murder.

"There are a vast number," said Warden Osborne, "whose lives are so did and dreary, and whom romance never touches. To the weakminded these the death of the murderer does not seem terrible, but inspires them to achieve this wonderful notoriety."

As an illustration of the different mental attitude of the criminal and weakminded, Mr. Osborne told the committee of a prisoner in Sing Sing who had become so grateful for favors shown him that he confided to his friends:

Capital Punishment No Deterrent.

"I would do anything for Warden Osborne. When I get out I will 'crank' any guy he does not like." The warden also told of another prisoner who, he said, his intimates well knew intended to commit murder when he was released, not regarding the taking of life as a very serious matter.

Attacking the idea that capital punishment is a deterrent, Mr. Osborne said the greater number of murders were committed by men under the influence of drink who "saw red," and never gave a thought to consequences. In the case of carefully premeditated murders, he argued, the murderer reckoned all the consequences and ignored them.

W. Bourke Cockran told the committee that eleven states had abolished capital punishment, and not one of them thought of restoring it. George Foster Peabody and Dr. William O. Stillman, of Albany, also spoke in behalf of the amendment.

Chairman Marshall declared that a bill abolishing capital punishment had been brought before the Legislature every year for about twenty-five years and had never got out of committee. He said he believed this might be a good reason for allowing the people to vote on the matter in the form of a constitutional amendment.

American Drama Society Gives Dance Allegory at Brookline Before Audience in Greek Garb



Miss Bertha Godfrey and Mrs. Gertrude Hitz Godfrey, in the performance given by the American Drama Society on the estate of Mrs. Larz Anderson, at Brookline, Mass.

Shore of Lake on Anderson Estate Is Stage for Play Telling Strife of Sea Children and Tree Children for Earth Child.

Boston, June 16.—The American Drama Society took possession of Weld, the beautiful Larz Anderson estate in Brookline, this afternoon, when an outdoor performance of the four-act dance-play, "The Strife of the Sea Children and the Tree Children for the Earth Child," was given.

The play was presented on the shore of the lake. All the actors wore Greek garb and danced barefoot. The audience, consisting of the members of the society and their guests, also wore the Greek costume.

The dance-play is symbolic of the struggle of the sea and growing things for the possession of the land. Sea children arise from the waters and coax the earth child into the depths. The tree children fight to win back the earth children to the land, and after a long struggle triumph.

The part of the earth child was taken by Miss Bertha L. Godfrey; Mermaid, William A. Williams; First Sea Child, Mrs. Gertrude Hitz Godfrey; Second Sea Child, Miss Louise Bate-man; other sea children, Mrs. Helen R. Smith, Miss Miriam Pallen, Miss Ruth Laurie, Miss Charlotte Chase, Mrs. Margery P. Dalton, Miss Clara Coombe, Miss Marion Barrie, Miss Gwendolyn Ridgway, First Tree Child, Miss Helen Tracy, Second Tree Child, Miss Luel Montgomery; other tree children, Mrs. Sibyl M. Snyder and the Misses Betha-heba Askwith, Mary Rohrer, Constance Rohrer, Evelyn Hawes and Melba Conannon.

Miss Bertha Remick, of Sharon, who wrote the music, is a member of the society. She composed the music for the New York suffrage pageant given last year and for the masque, "The Magic Pipes of Pan," recently performed at Peterboro, N. H., by the pupils of Florence Fleming Noyes.

Mrs. Gertrude Hitz Godfrey, who played the Second Sea Child, was formerly leading woman with William Hodge in "The Road to Happiness."

NEW BECKER BRIEF RUSHED TO ALBANY

Supplementary Paper Criticises Justice Seabury and Replies to District Attorney.

In the hope of strengthening their second appeal to the Court of Appeals for a reargument of the case of Charles Becker, his counsel filed yesterday a supplementary brief at Albany. The move was hurriedly made by Becker's lawyers, in view of the fact that the Court of Appeals adjourns to-morrow for the summer vacation.

The additional brief was filed by Bourke Cockran, of the firm of Cockran & Manton, of which Martin T. Manton was chief counsel for Becker. John B. Johnston, who was associated with Mr. Manton in Becker's defense, was also in Albany yesterday in connection with the matter.

A copy of the brief was not given out here prior to its filing, as was done with the original petition for a reargument, but it went little further than to reiterate the points raised by the defense in contention that Justice Seabury, who presided at Becker's second trial, did not present the defendant's case fully to the jury. In other respects it was a counter answer to District Attorney Perkins's reply opposing the motion for a reargument.

District Attorney Perkins was astonished to learn last night of the filing of the supplementary brief. He said that his office had not been notified of the intention of the Becker lawyers, and questioned whether they had obtained permission of the court to file a new brief.

An effort to obtain a new trial on a writ of habeas corpus in the Federal District Court has been suggested, but the success of such a move is considered extremely doubtful. It is likely, statements of Becker's lawyers to the contrary, that an appeal for Executive clemency will be made to Governor Whitman upon his return Sunday from the West.

REWARDED FOR STEALING Clerk Who Did Not Gamble His Loot Is Retained.

Albert Rees, a clerk, of 969 Tinton Avenue, The Bronx, who stole \$2,000 from his employers and tripled the sum by good investments, will not be prosecuted. Lanigan Brothers, for whom he worked, reached that decision yesterday, and they will also keep him in their employ. The complaint was dropped with the consent of District Attorney Francis Martin.

"Because Rees did not use the money in gambling or on women," said counsel for the concern yesterday, "his sel for the concern yesterday, his employers have decided to give him a chance."



PROMOTION IN SEVENTH

Lieutenant White To Be Regimental Quartermaster.

Lieutenant-Major A. White, Battalion Quartermaster, 7th Regiment, N. G. N. Y., is to succeed Captain Walter G. Schuyler as Regimental Quartermaster, the latter having resigned after almost 44 years of continuous service. Colonel Appleton will make the appointment as soon as the honorable discharge of Captain Schuyler is received. Lieutenant White first joined Company B 33 years ago. He became Corporal in 1889, Quartermaster Sergeant in 1892, Regimental Quartermaster in 1895, and First Lieutenant and Battalion Quartermaster in 1907. He has been an able assistant to Captain Schuyler and is known as a competent officer.

Captain Schuyler is one of the best known officers in the Guard. He is a member of the New York Athletic Club, and has served as its president. He was one of the organizers of the 7th Regiment Athletic Association, and has been its president for 33 years. He holds the brevet rank of major and has instituted a valuable system for loading and unloading and assembling and disassembling the escort wagons. He was recognized as one of the most competent quartermasters in the National Guard.

CONY BY TUBE TUESDAY

Fourth Avenue Line Will Be Opened to Public Then.

The Fourth Avenue and Sea Beach lines from New York to Coney Island will be operated for the public Tuesday noon for the first time.

By a resolution adopted yesterday the Public Service Commission directed the opening of both the Fourth Avenue line and the Steinway Tunnel cars will have a capacity of seventy-eight persons, and will be sixteen feet longer than those now used in other subways.

5-CENT GRAFT CHARGED

Employer Accused of Compensation Policy Extortion.

Alleging that Frank Giambalvo, a clothing manufacturer at 323 Stagg Street, Williamsburg, was exacting five cents weekly from his twenty-five employees to reimburse him for compensation policies for them, Alexander J. Gompers, an Assistant Deputy Commissioner of the State Workmen's Compensation Commission, yesterday had the manufacturer before Magistrate Nauman.

Most of the employees are poor. Giambalvo denied he obtained the nickel for that purpose, and declared it was given to him for giving the employees work. The hearing was adjourned until to-day.

WANT TO BE JUDGES; MAYOR SIFTS NAMES

Many Candidates Strive for Vacancies in Manhattan and Brooklyn.

Competition is so keen for the judicial appointments that Mayor Mitchell has to make that he will probably have no announcement until next week.

There are two police court magistrates to appoint in Manhattan, and it is understood that the Mayor will appoint a Republican and a Democrat. The candidate of the Republican organization is William Blau, although J. Crosby Kindelberger, former Assistant District Attorney, has active backing.

Edgar V. Frothingham, until recently Commissioner of Public Works in the office of the Borough President of Manhattan, is believed to have an excellent chance of getting the appointment that is to go to an independent Democrat.

Other candidates for one of these two places are Richard A. Welling, former Civil Service Commissioner; former Assistant District Attorney Floyd N. Wilmet, Assistant District Attorney Frederick J. Groehl, Leonard McGee, head of the legal staff of the Legal Aid Society; Louis A. Lavelle and Nathaniel Phillips, president of the Foreign Born Citizens' League.

In Brooklyn O. Grant Esterbrook, vice-chairman of the Board of Aldermen, has for some time been the leading candidate for magistrate. There is also a vacancy in Special Sessions. The Mayor hopes to announce on Saturday his assignments of five members of the Court of Special Sessions to the special work of the children's courts. It is understood that the choice for Chief Justice lies between Justice Franklin Chase Hoyt, of Manhattan, and Justice Robert J. Wilkin, of Brooklyn.

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PERKINS' HAT LEAVES HIM IN THE LURCH

1915 Model Too Fast for District Attorney, Who Took It to Luncheon.

Has anybody here seen the District Attorney's kelly? It entered a restaurant near Criminal Courts with Mr. Perkins yesterday noon and left before he did. Whoever the light-colored gentleman was who walked away with the 1915 model straw, which was the prosecutor's pride, his ears doubtless burned afterward. Mr. Perkins made speeches to himself about him all the way back to his office. A hat thief is a low enough human at any rate, but one so degraded as to omit leaving his own top in exchange for a better one, is, in the opinion of the District Attorney, a being only by courtesy. A rosette glow suffused Mr. Perkins's cranium when he arrived at his office. The sun was hot on his walk back from the restaurant, and weighty thoughts have made one hair to grow where several formerly flourished.

The United Hebrew Trades an-

nounced recently that they were conducting a campaign to oust the District Attorney from office. In Mr. Perkins's office yesterday afternoon it was believed that they had started in to do it on the installment plan.

NAVY YARD IN TICKET ROW

Workmen Say They're Being Barred from Launching.

Navy Yard employees were grumbling yesterday over their inability to get tickets for the launching of the Arizona on Saturday. Nearly 10,000 tickets, it is said, have been obtained by two Brooklyn Congressmen and an ex-Representative, and the workmen feel that they have been discriminated against by the Navy Yard officers. There is a fear among Navy Yard officers that the stands may be overcrowded, owing to the large number of tickets sent out. At the Commandant's office yesterday it was estimated that 60,000 tickets will have been issued by Friday night. Officers in other departments think that with the invited guests and other citizens who will attend, close to 75,000 persons will see the dreadnought take the water.

THE SATURDAY EVENING POST

Queen Mary of England

A Woman-to-Woman Talk

By Mary Roberts Rinehart

QUEEN MARY received Mrs. Rinehart informally while she and the ladies of her court were making garments for the men at the front. She talked so simply and so feelingly as to afford to Americans a close view of her as a Queen, a Woman and a Mother.

The Treasure Sink

By Alfred W. Atwood

EVER since West and East began to trade and traffic, a steady stream of gold and silver has been pouring into India. For thousands of years her wealth in precious metals, in gems, pearls and objects of beauty has been piling up. This article describes the incredible riches of some of the native princes and indicates the sources of India's royal contributions to England's war chest.

Other Features in This Number

War: A timely love story by W. B. Trites; The Courting Candle, an Irish tale by Mary L. Magruder; The Knothole, a hard-times article for manufacturers by James H. Collins; Her Negatives, a new Phoenix story by Richard Washburn Child; War Orders, a timely fact article by Will Payne, and an able paper on the economic effects of the War, by Former Senator Beveridge.

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